



Department of Justice

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GERMAN NATIONAL ARRESTED FOR SMUGGLING CORAL FROM THE PHILIPPINES

Discovery of shipping containers full of illegal coral in Oregon led to arrest

Portland, Ore. - Gunther Wenzek, a German national, appeared today in U.S. District Court in Alexandria, Va., on a nine count indictment charging him with three felony counts of smuggling protected coral into the United States port of Portland, Ore., three felony counts of violating the Lacey Act and three misdemeanor charges of violating the Endangered Species Act, the Justice Department announced. Wenzek appeared today before U.S. Magistrate Judge T. Rawles Jones, Jr. of the Eastern District of Virginia.

A grand jury in Portland, Ore. indicted Wenzek in July 2008. The indictment had been sealed pending Wenzek's scheduled appearance at the Global Pet Expo in Orlando, Fla., this week. Law enforcement officials arrested Wenzek Wednesday night as he entered the United States at Dulles airport outside of Washington, D.C., en route to the pet exposition.

According to the indictment, Wenzek owns a company named CoraPet, based in Essen, Germany, and has sold various coral products to retailers in the United States. An investigation was launched in 2007 after Wenzek tried to ship a container loaded with fragments of endangered coral from reefs off the Philippine coast to Portland. After this initial shipment, agents subsequently seized two full containers of endangered coral shipped by Wenzek to a customer in Portland. These two shipments made up a total of over 40 tons of coral.

The corals seized have been identified as corals from the scientific order *Scleractinia*, genera *Porites*, *Acropora*, and *Pocillopora*, common to Philippine reefs. Due to the threat of extinction, stony corals, such as those seized in this case are protected by international law. Philippine law specifically forbids exports of all coral. Moreover, the Convention on International Trade in Endangered Species (CITES) bars importation of the coral Wenzek tried to import to customers in the United States, absent a permit.

"Protection of coral reefs continues to play an important role in the Department of Justice's environmental enforcement efforts both domestically and internationally, said John C. Cruden, Acting Assistant Attorney General for the Justice Department's Environment and Natural Resources Division. "Preventing the further decline of coral reefs is of paramount importance in preserving our marine environment and fisheries."

Andrew Bruckner, a biologist from the National Oceanic Atmospheric Administration, Office of Law Enforcement said, "The removal of dead coral and live rock is of major concern for coral reefs, including those reefs protecting coastal communities from storms. These corals are the fundamental building blocks of the coral reef ecosystem. Unsustainable collection of coral frequently results in the loss of important nursery areas, feeding grounds, refuge for fish and invertebrates, and increased erosion of reef systems."

Karin J. Immergut, U.S. Attorney for the District of Oregon, said, "We will not allow criminals to profit from the illegal devastation of the world's coral reefs. We will scour the globe for those responsible for this devastation and bring them to justice."

"We appreciate the support from fellow law enforcement on this very important investigation," said Paul Chang, Special Agent in Charge of Law Enforcement for the U.S. Fish and Wildlife Service's Pacific Region, based in Portland. "Stopping the type of criminal activity alleged in this case ranks among our highest priorities because of the very significant impact it has on the dwindling coral reefs of the world."

The Lacey Act prohibits import, export, transportation, sale, receipt, acquisition or purchase of fish, wildlife, or plants that are taken, possessed, transported or sold in violation of any federal, state, tribal or foreign law.

An indictment is merely an accusation, and a defendant is presumed innocent unless and until proven guilty in a court of law.

The case was investigated by the U.S. Fish and Wildlife Service, U.S. Immigration and Customs Enforcement, and the National Marine Fisheries Service. The case is being prosecuted by Assistant U.S. Attorney, Dwight Holton from the District of Oregon and Senior Trial Attorney J. Ronald Sutcliffe of the Justice Department's Environmental Crimes Section, with assistance from the Eastern District of Virginia.

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